

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

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UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 2:06-2168-DCN
)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER SETTING ASIDE SALE</u>
JOSEPH KESH FEAGIN and)	
HEARTH CORPORATION,)	
)	
Defendants.)	

This is an action by the United States of America for the foreclosure of a real estate mortgage, and other relief pertaining to property located in Georgetown County, South Carolina, which mortgage was executed by Joseph Kesh Feagin, to the United States of America, acting through the Farmers Home Administration, n/k/a Rural Development, United States Department of Agriculture.


The Court is now informed by plaintiff's counsel that the Georgetown Times newspaper in Georgetown County, South Carolina, failed to publish the Notice of Sale of the subject property for four consecutive weeks as required by 28 U.S.C. 2002. The sale of the property has, therefore, not been conducted in accordance with the applicable statute and Decree of Foreclosure and Sale. It is, therefore.

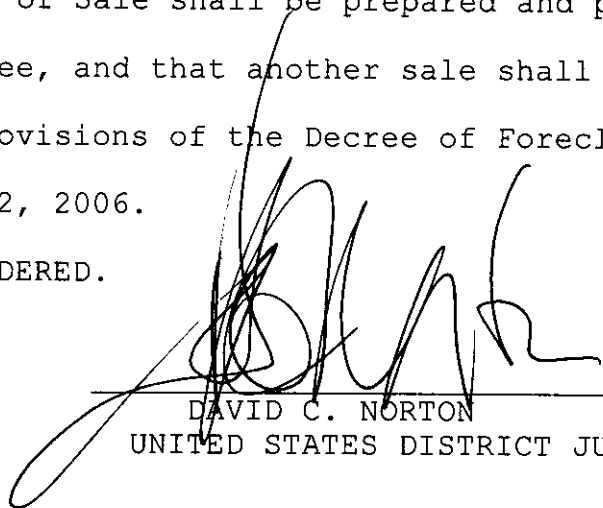
ORDERED that the sale of the property, which is the subject of the instant foreclosure action, is hereby declared

null and void and is set aside. The entire earnest money shall be returned to Charles Reuben Goude. The United States Marshal is directed to issue a check made payable to Charles Reuben Goude in the amount of Fifty Nine Thousand, Three Hundred and No/100 (\$59,300.00) Dollars.

IT IS FURTHER ORDERED that the Decree of Foreclosure and Sale filed November 22, 2006, remains in full force and effect, that a new Notice of Sale shall be prepared and published as set forth in said Decree, and that another sale shall be held, in accordance with the provisions of the Decree of Foreclosure and Sale filed November 22, 2006.

AND IT IS SO ORDERED.


Columbia, South Carolina
April 10, 2007



DAVID C. NORTON
UNITED STATES DISTRICT JUDGE